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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/827,215 | 04/19/2004 | Ken-Li Chen | 250913-1200 | 2933 |
| 24504 | 7590 | 01/18/2008 | EXAMINER | |
| THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP | | | BENGZON, GREG C | |
| 600 GALLERIA PARKWAY, S.E. | | | ART UNIT | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/827,215 | CHEN ET AL. | |
| | Examiner | Art Unit | |
| | Greg Bengzon | 2144 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 04/19/2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-15 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 19 April 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date 04/19/2004.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION

This application has been examined. Claims 1-15 are pending.

Priority

The effective date of the claims described in this application is April 19, 2004.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 04/19/2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,3, 7-8 rejected under 35 U.S.C. 102(e) as being anticipated by Bhela (US 7224987).

The Applicant Specifications Page 6 indicate an area agent is a wireless device that is enabled to request location information from a local area server.

Bhela disclosed (re. Claim 1) a location system, comprising: an area agent, comprising a presence application (Bhela-Column 10 Lines 45-55, 'core services module'); a presence server, collecting location awareness information supporting the presence application; (Bhela-Column 10 Lines 55-60, 'external notification server') and a local area server, returning location information in response to a request from the area agent; (Bhela-Column 10 Lines 60-65, 'location provider module') wherein the area agent generates the location awareness information according to the location information obtained from the local area server. (Bhela-Column 12 Lines 40-55, 'Once the location information is retrieved from the location providers, the core services module 306 generates a current location for the location owner according to any privacy restrictions the information owner may have indicated.')

Bhela disclosed (re. Claim 3) wherein the area agent directly submits the location awareness information to the presence server. (Bhela-Column 13 Lines 25-30, 'The core services module 306 transfers the generated location information to the notification module 322, as shown by arrow 517')

Bhela disclosed (re. Claim 7) further comprises an authentication server assigning an authentication code to the area agent. (Bhela-Column 12 Lines 1-10,

Column 14 Lines 45-65)

Bhela disclosed (re. Claim 8) wherein the request sent from the area agent comprises the authentication code, and the local area server returns location information according to the authentication code. (Bhela-Column 12 Lines 1-10, Column 14 Lines 45-65)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2, 11-12, 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Bhela (US 7224987) in view of Viikari (US Patent 7263086).

The Applicant Specifications Page 6 indicate an area tag as the IP address of the wireless Access Point.

While Bhela substantially disclosed the claimed invention Bhela did not disclose (re. Claim 2) wherein the request sent from the area agent comprises an area tag, according to which, the local area server seeks the location information.

Viikari disclosed (re. Claim 2) wherein the request sent from the area agent comprises an area tag, according to which, the local area server seeks the location information. (Viikari-Column 9 Lines 10-25)

Bhela and Viikari are analogous art because they present concepts and practices regarding provision of location information for mobile terminals. At the time of the invention it would have been obvious for a person of ordinary skill in the networking art to combine Viikari with Bhela. The motivation for said combination would have been to enable generation of location information according to the access point relaying the location request. (Viikari-Column 18 Lines 15-55)

Bhela-Viikari disclosed (re. Claim 11) a location awareness method for operating a presence application in an area agent, comprising the steps of: acquiring an area tag; (Viikari-Column 9 Lines 10-25) requesting location information from a local area server by sending the area tag; (Viikari-Column 9 Lines 10-25) obtaining the location information from the local area server; (Bhela-Column 15 Lines 45-55, '*obtains the location information from information providers*') generating location awareness information accordingly; (Bhela-Column 12 Lines 40-55, '*Once the location information is retrieved from the location providers, the core services module 306 generates a current location for the location owner according to any privacy restrictions the information owner may have indicated.*')

and submitting the location awareness information. (Bhela-Column 13 Lines 25-30, 'The core services module 306 transfers the generated location information to the notification module 322, as shown by arrow 517')

Bhela-Viikari disclosed (re. Claim 12) wherein the location awareness information is directly submitted to a presence server. (Bhela-Column 13 Lines 25-30, 'The core services module 306 transfers the generated location information to the notification module 322, as shown by arrow 517')

Bhela-Viikari disclosed (re. Claim 15) acquiring an authentication code from a authentication server (Bhela-Figure 7) and sending the authentication code together with the area tag (Viikari-Column 2 Lines 30-35) to the local area server to obtain the location information.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4-6 rejected under 35 U.S.C. 103(a) as being unpatentable over Bhela (US 7224987) in view of Alcock (US Publication 2004/0198389).

While Bhela substantially disclosed the claimed invention Bhela did not disclose (re. Claim 4) further comprises a relay forwarding and managing information exchange between the area agent and the local area server.

Alcock disclosed (re. Claim 4) further comprises a relay forwarding and managing information exchange between the area agent and the local area server.
(Alcock-Paragraph 19, *'base station gathers information corresponding to geographic location'*)

Bhela and Alcock are analogous art because they present concepts and practices regarding provision of location information for mobile terminals. At the time of the invention it would have been obvious for a person of ordinary skill in the networking art to combine Alcock with Bhela. The motivation for said combination would have been

to enable an inexpensive and efficient delivery of geographic specific information to multiple receivers in a network. (Alcock-Paragraph 5)

The Examiner notes that said relay is a base station, gateway, or access point as indicated in Applicant Specifications. Thus said relay is a well-known component of a wireless network for relaying information between a mobile terminal and other nodes in a network.

Bhela-Alcock disclosed (re. Claim 5) wherein the relay downloads location information from the local area server for periodic update. (Alcock-Paragraph 19, 'base station gathers information corresponding to geographic location')

Bhela-Alcock disclosed (re. Claim 6) wherein the relay (Alcock-Paragraph 19, 'base station gathers information corresponding to geographic location') retrieves the location awareness information from the area agent for submission to the local area server, which then transfers the location awareness information to the presence server. (Bhela-Column 13 Lines 25-30, 'The core services module 306 transfers the generated location information to the notification module 322, as shown by arrow 517')

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9,10 rejected under 35 U.S.C. 103(a) as being unpatentable over Bhela (US 7224987) in view of Alcock (US Publication 2004/0198389) further in view of Caspi (US Patent 7224966).

While Bhela substantially disclosed the claimed invention, Bhela did not disclose (re. Claim 9) wherein the authentication server further comprises a relay for forwarding and managing information exchange between the area agent and the local area server.

Alcock disclosed (re. Claim 9) a relay forwarding and managing information exchange between the area agent and the local area server. (Alcock-Paragraph 19, '*base station gathers information corresponding to geographic location*')

Bhela and Alcock are analogous art because they present concepts and practices regarding provision of location information for mobile terminals. At the time of the invention it would have been obvious for a person of ordinary skill in the networking art to combine Alcock with Bhela. The motivation for said combination would have been

to enable an inexpensive and efficient delivery of geographic specific information to multiple receivers in a network. (Alcock-Paragraph 5)

The Examiner notes that said relay is a base station, gateway, or access point as indicated in Applicant Specifications. Thus said relay is a well-known component of a wireless network for relaying information between a mobile terminal and other nodes in a network.

However Bhela-Alcock does not disclose (re. Claim 9) wherein the authentication server further comprises a relay for forwarding and managing information exchange between the area agent and the local area server.

The Examiner notes that since the local area server acquires the presence information the local area server is thus equivalent to a remote presence server. The Examiner further notes that '*presence watchers*' are well-known in the networking art.

Caspi disclosed (re. Claim 9) wherein the authentication server further comprises a relay for forwarding and managing information exchange between the area agent and the local area server. (*Caspi-Column 5 Lines 50-60, 'remote server 152 will then distribute the information to the appropriate local server 104, which will update the presence databases and watch lists for the various users'*)

Bhela, Alcock and Caspi are analogous art because they present concepts and

practices regarding provision of location information for mobile terminals. At the time of the invention it would have been obvious for a person of ordinary skill in the networking art to combine Caspi with Bhela-Alcock. The motivation for said combination would have been to enable presence information to be relayed as a mobile terminal moves from one monitoring area to another. (Caspi-Column 2 Lines 40-50)

Bhela-Alcock-Caspi disclosed (re: Claim 10) wherein the relay collects the location awareness information (Alcock-Paragraph 19, 'base station gathers information corresponding to geographic location') from the area agent (Bhela-Column 1 Lines 55-65) for submission to the local area server, (Caspi-Column 5 Lines 50-60, 'remote server 152 will then distribute the information to the appropriate local server 104, which will update the presence databases and watch lists for the various users') which then publishes the location awareness information to the presence server.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Bhela (US 7224987) in view of Viikari (US Patent 7263086) in view of Alcock (US Publication 2004/0198389) further in view of Caspi (US Patent 7224966).

While Bhela-Viikari Alcock disclosed transmitting location information from a base station relay, Bhela-Viikari did not disclose (re. Claim 13) wherein the location awareness information is submitted to a relay for transmission to the local area server.

The Examiner notes that since the local area server acquires the presence information the local area server is thus equivalent to a remote presence server. The Examiner further notes that '*presence watchers*' are well-known in the networking art.

Alcock disclosed (re. Claim 13) a relay for forwarding information. (Alcock- a relay forwarding and managing information exchange between the area agent and the local area server. (Alcock-Paragraph 19, '*base station gathers information corresponding to geographic location*'))

Bhela, Viikari and Alcock are analogous art because they present concepts and practices regarding provision of location information for mobile terminals. At the time of the invention it would have been obvious for a person of ordinary skill in the networking art to combine Alcock with Bhela-Viikari. The motivation for said combination would have been to enable an inexpensive and efficient delivery of geographic specific information to multiple receivers in a network. (Alcock-Paragraph 5)

The Examiner notes that said relay is a base station, gateway, or access point as indicated in Applicant Specifications. Thus said relay is a well-known component of a wireless network for relaying information between a mobile terminal and other nodes in a network.

While Bhela-Viikari-Alcock substantially disclosed the claimed invention, Bhela-Viikari-Alcock did not disclose (re. Claim 13) wherein the location awareness information is submitted to a relay for transmission to the local area server.

Caspi disclosed (re. Claim 13) wherein the location awareness information is submitted to a relay for transmission to the local area server. (Caspi-Column 5 Lines 50-60, *'remote server 152 will then distribute the information to the appropriate local server 104, which will update the presence databases and watch lists for the various users'*)

Bhela, Viikari, Alcock and Caspi are analogous art because they present concepts and practices regarding provision of location information for mobile terminals. At the time of the invention it would have been obvious for a person of ordinary skill in the networking art to combine Caspi with Bhela-Viikari-Alcock. The motivation for said combination would have been to enable presence information to be relayed as a mobile terminal moves from one monitoring area to another. (Caspi-Column 2 Lines 40-50)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 14 rejected under 35 U.S.C. 103(a) as being unpatentable over Bhela (US 7224987) in view of Viikari (US Patent 7263086) further in view Caspi (US Patent 7224966).

While Bhela-Viikari disclosed transmitting location information back to requesting entities, Bhela-Viikari did not disclose (re. Claim 14) wherein the location awareness information is submitted to the local area server.

The Examiner notes that since the local area server acquires the presence information the local area server is thus equivalent to a remote presence server.

Caspi disclosed (re. Claim 14) wherein the location awareness information is submitted to the local area server. (Caspi-Column 5 Lines 50-60, 'remote server 152 will then distribute the information to the appropriate local server 104, which will update the presence databases and watch lists for the various users')

Bhela, Viikari and Caspi are analogous art because they present concepts and practices regarding provision of location information for mobile terminals. At the time of the invention it would have been obvious for a person of ordinary skill in the networking art to combine Caspi with Bhela-Viikari. The motivation for said combination would have been to enable presence information to be relayed as a mobile terminal moves from one monitoring area to another. (Caspi-Column 2 Lines 40-50)

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to the enclosed PTO-892 form.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571)272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Greg Bengzon

Patent Examiner, AU 2144